

NO. 60584

**AMENDED**  
**APPLICATION FOR PERMIT TO APPROPRIATE THE PUBLIC**  
**WATERS OF THE STATE OF NEVADA**

Date of filing in State Engineer's Office OCT 19 1994  
Returned to applicant for correction DEC 16 1994  
Corrected application filed FEB 08 1995  
Map filed FEB 08 1995

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The applicant **ESPIL SHEEP COMPANY INC.**, hereby make application for permission to appropriate the public waters of the State of Nevada, as hereinafter stated.

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1. The source of the proposed appropriation is **Underground, (LOWER SMOKE CREEK WELL)**
2. The amount of water applied for is **0.0436 CFS** second-feet
  - (a) If stored in reservoir give number of acre-feet
3. The water to be used for **Stock Watering Purposes**
4. If use is for:
  - (a) Irrigation, state number of acres to be irrigated
  - (b) Stockwater, state number and kinds of animals to be watered **1000 Cows, 2000 Sheep**
  - (c) Other use (describe fully under No. 12. "Remarks")
  - (d) Power:
    - (1) Horsepower developed
    - (2) Point of return of water to stream
5. The water is to be diverted from its source at the following point **LOWER SMOKE CREEK WELL** situate in the SW $\frac{1}{4}$ , SW $\frac{1}{4}$  of Section 16, T. 30N., R.19E., M.D.B.&M. from a point which the Southwest corner of said Section 16, T. 30N., R.19E. bears S 17° 35' 00" W a distance of 1142 feet.
6. Place of Use **Section 16, T. 30N., R19E. M.D.B.&M.**
7. Use will begin about **January 1** and end about **December 31** of each year.
8. Description of proposed works **Existing well (LOWER SMOKE CREEK WELL)**
9. Estimated cost of works **\$2,500.00**
10. Estimated time required to construct works **1 Year**
11. Estimated time required to complete the application of water to beneficial use **2 Years**
12. Remarks:

By **s/Brent Espil**  
**P.O. Box 150**  
**Gerlach, Nevada 89412**

Compared ag/dl ag/esam

Protested 4/21/95 by: U.S.D.I. -BLM

Pro. Overruled 6/18/04 See Ruling #5385

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APPROVAL OF STATE ENGINEER

This is to certify that I have examined the foregoing application, and do hereby grant the same, subject to the following limitations and conditions:

This permit is issued subject to all existing rights on the source. It is understood that the amount of water herein granted is only a temporary allowance and that the final water right obtained under this permit will be dependent upon the period of use and the average number of livestock served from the waters of this source. It is further understood that this right must allow for a reasonable lowering of the static water level at permittee's well due to any other ground water development in the area. The well shall be equipped with a 2-inch opening for measuring depth to water. If well is flowing, a valve must be installed and maintained to prevent waste. The State retains the right to regulate the use of the water herein granted at any and all times but does not take responsibility for the use of the Federal range.

This permit does not extend the permittee the right of ingress and egress on public, private or corporate lands.

The total combined duty of water under Permits 60584, 60585, 60586 and 60587 shall not exceed 0.0436 cubic feet per second or sufficient to water 1000 head of cattle and 2000 sheep.

The issuance of this permit does not waive the requirements that the permit holder obtain other permits from State, Federal and local agencies.

(CONTINUED ON PAGE 3)

The amount of water to be appropriated shall be limited to the amount which can be applied to beneficial use, and not to exceed 0.0436 cubic feet per second, or sufficient to water 1000 head of cattle and 2000 sheep.

Work must be prosecuted with reasonable diligence and be completed on or before:

August 16, 2005

Proof of completion of work shall be filed on or before:

September 16, 2005

Water must be placed to beneficial use on or before:

August 16, 2007

Proof of the application of water to beneficial use shall be filed on or before:

September 16, 2007

Map in support of proof of beneficial use shall be filed on or before:

N/A

IN TESTIMONY WHEREOF, I, HUGH RICCI, P.E.,

State Engineer of Nevada, have hereunto set

my hand and the seal of my office

this 16th day of August, A.D. 2004

  
State Engineer

Completion of work filed \_\_\_\_\_

Proof of beneficial use filed \_\_\_\_\_

Cultural map filed N/A

Certificate No. \_\_\_\_\_ Issued \_\_\_\_\_

